

CONFIDENTIALITY NOTICE

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Strengthening of LSV Presidency

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1. Dr. Hubert Schruabbers on 1 August 1955 was appointed President of the Bundesamt fuer Verfassungsschutz (BfV) on the customary probationary basis. Dr. Schruabbers advised his administrative superior, State Secretary Ritter von Lex of the Federal Ministry of the Interior, at the end of September that he would make his acceptance of a permanent appointment dependent upon the acceptance by the Ministry of several conditions. The conditions, which Schruabbers had worked out with two senior BfV staff officials, were as follows:

- a. The president of the BFV should have rank and emoluments equivalent to those of a ministerial director. The reasons given for this condition were that the president should
- (1) be on a basis of equality with the future head of the German Intelligence Service,
 - (2) be the equal of, or superior to, the heads of the offices for Verfassungsschutz in the various Laender,
 - (3) gain prestige with foreign officials,
 - (4) have a voice of authority in dealing with the representatives of other ministries and offices of the Federal government and with German industrial executives.
- b. The president should have the right of direct access to State Secretary Lex and to the Minister of the Interior without having to go through any two officials in the Interior Ministry, subordinate to von ~~Neubach~~ who are responsible for BFV matters; viz., Dr. Walter Bargatzky and Dr. Rudolf Toyka. This access should normally occur once a week, in addition to any special consultation that might become necessary.
- c. The president should be consulted in all deliberations concerning German government security when any proposed laws, decrees or regulations touching on security are being discussed; he should also be consulted on any general problem or other matter affecting the BFV or its personnel.

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- d. The BfV should have the right of decision in hiring and firing its own personnel and should not be forced to accept, without its consent, individuals suggested by or transferred by the Ministry of Interior. Similarly, there should be no transfers from the BfV without its express consent.
2. State Secretary von Lax told Dr. Schruabbers that he accepted these conditions.² Von Lax remarked subsequently to other persons that Schruabbers was doing well in his new job, and was satisfied in it. He added that the practice of the Interior Ministry was to require a minimum of three months' probationary service before an appointment is confirmed.
1. Field Comment: These conditions are adaptations of some of the recommendations made for the strengthening of the BfV by the Allied Directors of Intelligence in a document which they delivered to the Federal Chancellor's Office in the latter part of 1954. These recommendations were in turn adopted by the NATO team that made an examination of German security in November 1954, and the document itself was attached in full, as an annex, to the NATO team's report. This report was in turn communicated by NATO to the German government. Dr. Schruabbers had studied this document shortly after taking up his new duties on 1 August 1955 and had commented that he would have occasion to refer to it in his dealings with the Ministry of Interior. Thus the foregoing proposed strengthening of the BfV presidency, which when carried out will also enhance the prestige of the BfV itself, may perhaps be said to be a long-deferred effect of the Allied Directors' recommendations.
2. Source Comment: It is a question whether all of these conditions will be fulfilled.

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